



Proskauer Rose LLP Eleven Times Square New York, NY 10036-8299

October 10, 2019

**Via ECF**

Hon. U. S. D. J. Paul A. Engelmayer  
Thurgood Marshall United States Courthouse  
40 Foley Square, Room 1305  
New York, New York 10007-1312

Jennifer Yang  
Attorney at Law  
d +1.212.969.3394  
f 212.969.2900  
jyang@proskauer.com  
www.proskauer.com

**Re: *Chevron TCI, Inc. v. 1170 Broadway Manager LLC, et al.*, 1:19-cv-03149**

Dear Judge Engelmayer:

We represent third-party defendants Yucaipa American Alliance Fund II, L.P. and Yucaipa American Alliance (Parallel) Fund II, L.P. (collectively, the “Yucaipa Parties”) in the above-captioned matter. We write pursuant to paragraph 1.E of the Court’s Individual Rules and Practices in Civil Cases to request an additional two-week extension of time for the Yucaipa Parties to respond to the third-party complaint (Dkt. 24) and a temporary stay of all deadlines set forth in the Scheduling Order entered in this case (Dkt. 44). Counsel for the Plaintiff and counsel for the Defendants/Third-Party Plaintiff have both consented to this request.

The parties are continuing to work towards settlement that will resolve all claims and third-party claims in this litigation. To allow the parties to focus on those efforts, we previously requested a 3-week extension and then an additional 2-week extension of the Yucaipa Parties’ deadline to respond to the third-party complaint, as well as a two-week extension of all deadlines set forth in the Scheduling Order. The Court granted both those requests and entered a revised Scheduling Order. *See* Dkts. 40, 42, 44. Since that time, the parties have continued to take steps to finalize a settlement agreement. The Yucaipa Parties’ deadline to respond to the third-party complaint is currently October 10, 2019. In addition, pursuant to the Scheduling Order entered in this case (Dkt. 44), the parties’ initial disclosures are currently due on October 15, 2019, with other deadlines to follow shortly thereafter. We therefore request an extension of time until October 24, 2019 to respond to the third-party complaint. There is a possibility the parties will require additional time to finalize the settlement agreement thereafter. Therefore, to avoid burdening the court with multiple additional requests to amend the Scheduling Order while the settlement is being finalized, we also request a temporary stay of all the deadlines in the Scheduling Order. This is the Yucaipa Parties’ third request for an extension of time to respond to the third-party complaint and first request for a stay of the deadlines in the Scheduling Order.

We thank the Court for its consideration of this request.

Respectfully submitted,



Q. Jennifer Yang